THE DISPOSITIONS OF PROPERTY (BOMBAY) VALIDATION ACT, 1947.

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BOMBAY ACT No. LIV OF 1947.[1]

[THE DISPOSITIONS OF PROPERTY (BOMBAY) VALIDATION ACT, 1947.]

[*16th January 1948.*]

An Act to validate certain dispositions of property in the Province of Bombay.

WHEREAS it is expedient to validate certain dispositions of property in the Province of Bombay; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Dispositions of Property (Bombay) Validation Act, 1947.

Application of Act.

2. This Act shall apply to all trusts made, and to all wills and other testamentary dispositions of persons who have died, before the first day of January one thousand nine hundred and forty-five—

(*a*) where such trusts, wills or testamentary dispositions relate to immovable property situate within the Province of Bombay;

(*b*) where such trusts, wills or testamentary dispositions relate to property of every description other than immovable property and are declared, executed or made by a settlor or testator, as the case may be, in the Province of Bombay, notwithstanding anything to the contrary contained in Part II of the Indian Succession Act, 1925.

XXXIX of 1925.

Validation of certain dispositions.

3. (*1*) The following provisions of law shall not apply and shall be deemed never to have applied to the dispositions of property contained in or made by the instruments mentioned in section 2, namely, (*a*) section 13 of the Transfer of Property Act, 1882, and (*b*) section 113 of the Indian Succession Act, 1925.

IV of 1882.
XXXIX of 1925.

(*2*) To the dispositions of property contained in or made by the instruments mentioned in section 2 the enactments mentioned in the first column of the Schedule to this Act shall apply, and shall be deemed to have always applied, with the omissions and modifications specified in the second column of the Schedule.

Saving.

4. Nothing in this Act shall be deemed to affect or prejudice in any way any right, title or interest accrued to any person under a final decree or order of a competent court or acquired by any person for valuable consideration before the coming into force of this Act.

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[1] For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1947, Part V, page 386.

SCHEDULE.

1 Enactments.	2 Omissions and modifications.
Section 15 of the Transfer of Property Act, 1882.	For "sections 13 and" substitute "section".
Section 16 of the Transfer of Property Act, 1882.	For "sections 13 and" substitute "section".
Clause (*b*) of section 3 of the Hindu Disposition of Property Act, 1916.	Omit "113,".
Section 115 of the Indian Succession Act, 1925.	Omit "section 113 or".
Section 116 of the Indian Succession Act, 1925.	For "sections 113 and" substitute "section".
Schedule III to the Indian Succession Act, 1925.	Omit "113,".
Clause (5) under the heading "*Restrictions and modifications in application of foregoing sections*" in Schedule III to the Indian Succession Act, 1925.	Omit "one hundred and thirteen,".